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ATTORNEY FOR DEFENDANT JEFF WAYNE BANTA

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVID LEE FRY, JEFF WAYNE BANTA,  
Defendants.

No. 3:16-CR-00051-BR-13, 14

STIPULATED WAIVER AND ORDER  
REGARDING TRIAL COUNSEL

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Due to the length of the scheduled trial in this case, it is possible that counsel for Jeff Banta (Robert Salisbury) may miss portions of trial (approximately two half-days per month of trial) due to other professional commitments. At this point in time, counsel for David Fry (Per Olson) does not anticipate any scheduling conflicts.

After having been advised of their right to have their primary counsel present at all times during the trial and related hearings, Defendant Jeff Wayne Banta and Defendant David Lee Fry knowingly and voluntarily agree to allow respective counsel, Robert Salisbury (Banta) or Per Olson (Fry), to appear as counsel for both defendants whenever counsel for one defendant is unable to attend court hearings in this matter. If counsel of record for either defendant is unable to attend court, then the other attorney of record will appear on his behalf.

1 – STIPULATED WAIVER AND ORDER  
REGARDING TRIAL COUNSEL

ROBERT SALISBURY, Attorney at Law  
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By signing below, we each individually understand and agree to this arrangement and waive all rights to the contrary.

We agree that either counsel appearing for either Mr. Banta or Mr. Fry in court will represent each of our interests when the other counsel is absent. Unless a conflict of interest develops, the appearing attorney is authorized to make any necessary decisions on behalf of both defendants on issues that arise when the other attorney is absent.

Jeff W. Banta 7/13/16  
Jeff Wayne Banta Date

Robert Salisbury 7/15/16  
Robert Salisbury Date  
Attorney for Mr. Banta

David Lee Fry 7-18-16  
David Lee Fry Date

Per Olson 7/18/16  
Per Olson Date  
Attorney for Mr. Fry

**THIS STIPULATION** is accepted by the Court.

DATED this 19<sup>th</sup> day of July, 2016.

Anna J. Brown  
Anna J. Brown  
United States District Judge